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Date April 3, 2006

To Examiner MITCHELL, JAMES M.

Of PTO Group Art Unit 2812

Fax 571 273-8300

From Peter D. Olexy Registration No. 24,513

Subject RESPONSE TO COMMUNICATION OF 02/01/2006

Our Ref Q80822 Appln No 10/813,176

Conf No 4416 Inventors Masatomo SHIBATA

Pages 5 (including cover sheet)

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1. This cover sheet
2. RESPONSE TO COMMUNICATION OF 02/01/2006

#### CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner MITCHELL, JAMES M. at the Patent and Trademark Office on April 3, 2006 at 571 273-8300.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Deangela D. Williams'.

Deangela D. Williams

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q80822

Masatomo SHIBATA

Appln. No.: 10/813,176

Group Art Unit: 2812

Confirmation No.: 4446

Examiner: MITCHELL, JAMES M.

Filed: March 31, 2004

For: III-V NITRIDE SEMICONDUCTOR SUBSTRATE AND ITS PRODUCTION METHOD

**RESPONSE TO COMMUNICATION OF 02/01/2006**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In the above identified paper, it was held that the reply of November 16, 2005, was not fully responsive to the prior Office Action because Applicant had not identified the claims directed to the elected species.

The Examiner was called concerning this application, and the Examiner suggested that instead of an informal interview with the Examiner, Applicant should proceed by responding to the outstanding communication with an explanation of Applicants' position.

**APPLICANTS POSITION**

As a summary, Applicant has already elected Group I, Claims 1-24, directed to a self-supported III-V nitride semiconductor substrate. Applicant considers that Species I includes a substrate having uniform concentration in a whole substrate while Species II includes a substrate having variations in concentration in a whole substrate.

RESPONSE TO COMMUNICATION OF 02/01/2006  
U.S. Appl. No. 10/813,176

Thus, Applicant's position is that it is not possible to elect species based on the Examiner's description in the Restriction Requirement dated October 17, 2005.

In response, Applicant proposes a different election of species as follows. Applicant considers that independent Claims 1, 2, 3, 4, 5, and 6 (without dependent claims thereof) can be classified into the following two sub-groups (1) and (2):

Sub-group (1): A nitride semiconductor substrate having a substantially uniform carrier concentration distribution on its outermost surface or a surface layer existing from the top surface, to which Claims 1, 2, 4 and 6 are assigned (and dependent Claims 7, 8, 10, 11, 13, and 17-24); and

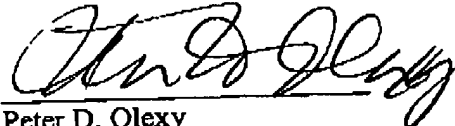
Sub-group (2): A nitride semiconductor substrate having a substantially uniform carrier concentration distribution on a surface layer existing from the top surface and a plurality of regions different in a carrier concentration from their surroundings in a direction substantially perpendicular to a substrate surface (see Fig. 1), to which Claims 3 and 5 are assigned (and dependent Claims 9, 12, and 14-16), whose features are a subordinate concept of sub-group (1).

Applicant thus elects Sub-group (1), independent claims 1, 2, 4 and 6 with dependent claim 7, 8, 10, 11, 13 and 17-24. All of the these claims would include the elected species.

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U.S. Appl. No. 10/813,176

Examination on the merits is requested.

Respectfully submitted,



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